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OFFICE OF PETITIONS

In re Patent of Corrado :
Patent No. 5,731,655 :
Issue Date: March 24, 1998 :   Letter
Application No. 08/614,212 :
Filing Date: March 12, 1996 :
For: Spark Plug With 360 Degree :
          Firing Tip :

Request for Information

This letter is in response to the A renewed petition under 37 CFR 1.378(b) filed on October 17, 2007, and supplemented on January 11, 2008.

Facts

The patent issued March 24, 1998.

The 3.5 year maintenance fee could have been timely paid, with a surcharge, as late as Monday, March 25, 2002. The fee was not timely paid and the patent expired.

In order to be eligible for reinstatement under the unintentional standard, a petition under 37 CFR 1.378(c) was due on or before March 24, 2004. A petition under 37 CFR 1.378(c) was filed February 20, 2004. A decision granting the petition was mailed April 1, 2005.

The 7.5 year maintenance fee could have been timely paid, with a surcharge, as late as March 24, 2005. The fee was not timely paid and the patent expired.

The petition states petitioner was unable to afford to pay the fee during March of 2005 because of tax payments required on petitioner's home, mortgage payments, and other expenses.

The instant petition was filed May 7, 2007.

A petition under 37 CFR 1.378(b) was filed May 7, 2007.

A decision dismissing the petition was mailed September 25, 2007.

Discussion:

The September 25, 2007 decision stated,

> Petitioner should provide a month by month analysis of income, expenses, and assets to establish the fact that, at no time, could petitioner have afforded to pay the maintenance fee.

Petitioner submitted a list of expenses for March 2005, but failed to provide any information with respect to income for the month.

The decision also stated, with emphasis in the original,

> [Petitioner must submit] a complete showing of the responsible person's financial condition during the entire period between March 1, 2005, and April 25, 2007.

Petitioner has failed to provide the requested information for the following months:

(1) the last nine months of 2005 (April 2005 to December 2005),
(2) all twelve months of 2006, and
(3) the first four months of 2007 (January 2007 to April 2007).

Petitioner must provide a complete showing for the entire time period from March 1, 2005, until April 25, 2007.

Petitioner should note petitioner's credit card was charged $2,280 for the required fees on January 16, 2008.

Petitioner has stated several of the papers he has filed have been lost. The Office notes the cover sheet fails to list a patent number of application number. Petitioner should ensure any future papers clearly indicate, at the top of each paper, the patent number and application number.

Petitioner should submit the requested information within TWO MONTHS of the mailing date of this letter. Extensions of time may not be obtained. No additional fee is due for a response to the instant request for information. The response to this Requirement for Information should include a cover letter entitled "Response to Request for Information." The failure to file a reply to the instant Request for Information will be interpreted as a desire to no longer pursue reinstatement of the patent and the Office will give no further consideration to the matter
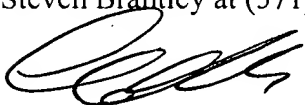
Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
             Commissioner for Patents
             P.O. Box 1450
             Alexandria, VA 22313-1450

By facsimile: (571) 273-8300
              Attn: Office of Petitions

By hand: U.S. Patent and Trademark Office
              Customer Service Window
              Randolph Building
              401 Dulany Street
              Alexandria, VA 22314

Telephone inquiries regarding this communication should be directed to Petitions Attorney
Steven Brantley at (571) 272-3203.

Charles Steven Brantley
Senior Petitions Attorney
Office of Petitions